

1 Christian L. Moore, Esq.
2 Dane A. Littlefield, Esq.
3 Lemons, Grundy & Eisenberg
4 6005 Plumas Street, Third Floor
5 Reno, NV 89519
6 Telephone: (775) 786-6868
7 *clm@lge.net; dal@lge.net*

8 Theodore E. Chrissinger, Esq.
9 Hoy Chrissinger Kimmel Vallas
10 50 W. Liberty St., Suite 840
11 Reno, Nevada 89501
12 Telephone: (775) 786-8000
13 *tchrissinger@nevadalaw.com*

14 *Attorneys for Plaintiff and
15 Counter-Defendant and
16 Third-Party Plaintiff GARY A. PULVER
17 dba PULVER CONSTRUCTION COMPANY*

18 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 GARY A. PULVER dba PULVER
21 CONSTRUCTION COMPANY, an individual,

22 Plaintiff,
23 vs.

24 BARRY KANE, an individual; ANNA KANE,
25 an individual; and 1059 LAKESHORE
26 BOULEVARD LLC, a Nevada limited liability
27 company fka 1059 Lakeshore Drive LLC,

28 Defendants.

29 1059 LAKESHORE BOULEVARD LLC, a
30 Nevada limited liability company,

31 Counterclaimant,
32 vs.

33 GARY A. PULVER dba PULVER
34 CONSTRUCTION COMPANY, an individual,
35 and ROES 1-50, inclusive,

36 Counter-Defendants.

37 Case No.: 3:20-cv-00673-MMD-CSB
38 Honorable Miranda M. Du

39 **STIPULATION AND ORDER TO
40 EXTEND TIME TO FILE
41 OPPOSITION TO RENO TAHOE
42 GEO ASSOCIATES, INC.'S MOTION
43 FOR SUMMARY JUDGMENT AS TO
44 PULVER CONSTRUCTION
45 COMPANY'S SECOND CAUSE OF
46 ACTION FOR BREACH OF
47 CONTRACT**

48 **(First Request)**

1 GARY A. PULVER dba PULVER
2 CONSTRUCTION COMPANY, an individual,

3 Third-Party Plaintiff,

4 vs.

5 CRUZ CONSTRUCTION COMPANY, INC., a
6 Nevada corporation; CLASS A ROOFING, LLC,
7 a Nevada limited liability company; A & E
8 ARCHITECTS, a Montana professional corporation;
9 RENO TAHOE GEO ASSOCIATES, INC., a
Nevada corporation; ERIC'S CONCRETE
PAVERS, INC., a Nevada corporation;
JULIAN MACDONALD dba JP MCDONALD
MILLWORKS; and DOES 1 through 20,

10 Third-Party Defendants.

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12 Plaintiff/third-party defendant GARY A. PULVER dba PULVER CONSTRUCTION
13 COMPANY, and third-party plaintiff RENO TAHOE GEO ASSOCIATES, INC., by and
14 through their undersigned counsel, hereby stipulate that defendant/third-party plaintiff GARY A.
15 PULVER dba PULVER CONSTRUCTION COMPANY, may have an extension of five (5)
16 business days from February 3, 2023, to February 10, 2023, to file his opposition to *Reno Tahoe*
17 *Geo Associates, Inc.'s Motion for Summary Judgment as to Pulver Construction Company's*
18 *Second Cause of Action for Breach of Contract* (ECF No. 83).

19 This is defendant/third-party plaintiff's first request for an extension to file his opposition.
20 This request is not interposed for delay or any other improper purpose.

21 DATED this 19th day of January 2023.

DATED this 19th day of January 2023.

22 Lemons, Grundy & Eisenberg

Viloria, Oliphant, Oster & Aman L.L.P.

24 By: /s/ Dane A. Littlefield, Esq.

By: /s/ Nathan J. Aman, Esq.

25 Christian L. Moore, Esq. NSB #3777
26 Dane A. Littlefield, Esq. NSB #14080
27 6005 Plumas Street, Third Floor
Reno, Nevada 89519
Ph: (775) 786-6868;
Fax: (775) 786-9716
clm@lge.net; dal@lge.net

Nathan J. Aman, Esq.
NSB #8354
P.O. Box 62
Reno, Nevada 89504
Ph: (775) 284-8888
naman@renonvlaw.com

1 and

2 **Hoy Chrissinger Kimmel Vallas**

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5 By: /s/ Theodore E. Chrissinger, Esq.

Theodore E. Chrissinger, Esq.
6 NSB #9528
7 50 W. Liberty St., Suite 840
Reno, Nevada 89501
Ph: (775) 786-8000
8 *tchrissinger@nevadalaw.com*

9 *Attorneys for Plaintiff and*
10 *Counter-Defendant and Third-Party*
Plaintiff GARY A. PULVER dba
11 *PULVER CONSTRUCTION*
COMPANY

12
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14 **ORDER**

15 IT IS SO ORDERED.

16 DATED this 19th day of January 2023.

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HONORABLE MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

Pursuant to F.R.C.P. 5(b), I certify that I am an employee of LEMONS, GRUNDY & EISENBERG, and that on January 19, 2023, I served a true and correct copy of the ***STIPULATION AND ORDER TO EXTEND TIME TO FILE OPPOSITION TO RENO TAHOE GEO ASSOCIATES, INC.'S MOTION FOR SUMMARY JUDGMENT AS TO PULVER CONSTRUCTION COMPANY'S SECOND CAUSE OF ACTION FOR BREACH OF CONTRACT (First Request)*** on the party(s) set forth below by:

- BY MAIL:** in an envelope with postage thereon fully prepaid to be placed in the U.S. Mail at Reno, Nevada, following ordinary business practices;
- BY E-MAIL:** by transmitting by electronic mail to the respective e-mail addresses;
- BY PERSONAL SERVICE:** in an envelope to be hand delivered this date;
- BY OVERNIGHT DELIVERY:** in an envelope to be delivered to an overnight delivery carrier with delivery fees provided for;
- BY FACSIMILE:** by transmitting by facsimile to the respective fax telephone phone number(s);
- BY USING THE COURT'S EFS** which electronically served the following;

Theodore E. Chrissinger, Esq. Hoy, Chrissinger & Vallas 50 W. Liberty St., Suite 840 Reno, Nevada 89501 Telephone: (775) 786-8000 <i>tchrissinger@nevadalaw.com</i>	<i>Attorney for Plaintiff/Counter-Defendant/Third-Party Plaintiff,</i> GARY A. PULVER dba PULVER CONSTRUCTION COMPANY
Alan R. Wechsler, Esq. Decker J. Cady, Esq. 940 Southwood Blvd., Suite 102 Incline Village, NV 89451 Telephone: (775) 548-5020 <i>alan@mountainsidelaw.com</i> <i>decker@mountainsidelaw.com</i>	<i>Attorney for Defendant and Counter-claimant 1059 Lakeshore Boulevard LLC and Defendants Barry Kane and Anna Kane</i>
John A. Aberasturi, Esq. Brent L. Ryman, Esq. Erickson, Thorpe & Swainston, LTD P.O. Box 3559 99 Arroyo Street Reno, NV 89505 Telephone: (775) 786-3930	<i>Attorneys for Third-Party Defendant Cruz Construction Company, Inc.</i>

1	<i>jaberasturi@etsreno.com</i> <i>bryman@etsreno.com</i>	
2		
3		
4	Karen M. Baytosh, Esq. Andrew M. Bunn, Esq. Bremer Whyte Brown & O'Meara, LLP 50 W. Liberty Street, Suite 1090 Reno, NV 89501 Telephone: (775) 440-2389 <i>kbaytosh@bremerwhyte.com</i> <i>abunn@bremerwhyte.com</i>	<i>Attorneys for Third-Party Defendant,</i> JULIAN MACDONALD dba JP MCDONALD MILLWORKS
5		
6		
7		
8		
9	Nathan J. Aman, Esq. Viloria, Oliphant, Oster & Aman, LLP P.O. Box 62 Reno, NV 89504 Telephone: (775) 284-8888 <i>naman@renonvlaw.com</i>	<i>Attorneys for Third-Party Defendant,</i> RENO TAHOE GEO ASSOCIATES, INC.
10		
11		
12	Christine E. Drage, Esq. Jeremy R. Kilber, Esq. W & D Law, LLP 861 Coronada Center Dr., Ste. 231 Henderson, NV 89502 Telephone: (702) 314-1905 <i>cdrage@wdlaw.com</i> <i>jkilber@wdlaw.com</i>	<i>Attorneys for Third-Party Defendant,</i> A & E ARCHITECTS
13		
14		
15		
16		
17	Bryce B. Buckwalter, Esq. Keating Law Group 9130 West Russell Road, Ste. 200 Las Vegas, Nevada 89148 Telephone: (702) 228-6800 <i>bbuckwalter@keatinglg.com</i>	<i>Attorneys for Third-Party Defendant,</i> Eric's Concrete Paver, Inc.
18		
19		
20		
21	Charlie H. Luh, Esq. Craig D. Slater, Esq. LUH & Associates 8987 W. Flamingo Rd., Ste. 100 Las Vegas, NV 89147 Telephone: (702) 367-8899 <i>cluh@luhlaw.com</i> <i>cslater@luhlaw.com</i>	<i>Attorneys for Third-Party Defendant,</i> Class A Roofing, Inc.
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27		<i>/s/ Susan G. Davis</i> _____ Susan G. Davis
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